

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q79392

Juergen HARTMAIER, et al.

Appln. No.: 10/758,118

Group Art Unit: 2872

Confirmation No.: 5044

Examiner: Ricky D. SHAFER

Filed: January 16, 2004

For: RETARDATION ELEMENT MADE FROM CUBIC CRYSTAL, AND AN OPTICAL
SYSTEM THEREWITH

RESPONSE TO ELECTION OF SPECIES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Examiner has identified the application as containing claims directed to three distinct species. The Examiner has required the Applicant to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted. The Examiner has identified claim 1 as being generic. Applicant has been advised that a response to this requirement shall include an identification of the species that is elected and a listing of all claims readable thereon.

In response to the Examiner's requirement, Applicant elects Species B , Figure 2 for examination. At least claims 1-2 and 6-25 are considered to be readable on the elected Species B.

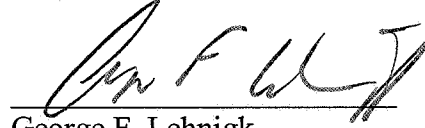
Applicant submits that if any of the elected claims are found to be allowable, claims dependent therefrom should similarly be considered allowable in the same application.

Applicant reserves the right to file a Divisional Application directed to non-elected claims 3-5 and 26-32.

Response to Election of Species
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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Date: April 13, 2006